

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 13-252
Plaintiff,)
)
v.)
) DETENTION ORDER
TYLER J. BRESNAHAN,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Possess with Intent to Distribute Oxycodone; Carrying a
Firearm During and In Relation to a Drug Trafficking Crime

Date of Detention Hearing: May 20, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably
assure the appearance of defendant as required and the safety of other persons and the
community.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

2. At the time of arrest, a loaded firearm with a round in the chamber was found in defendant's waistband. This additional charge adds a potential penalty of a mandatory five years in custody. The AUSA proffers that defendant made some attempt to flee at the time of arrest.

3. Defendant was not fully forthcoming about his substance abuse history. He has a history of mental health issues. His criminal history includes prior non-compliance with supervision. Since becoming an adult, his criminal record includes a significant percentage of time in custody.

4. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the

01 person in charge of the corrections facility in which defendant is confined shall deliver
02 the defendant to a United States Marshal for the purpose of an appearance in connection
03 with a court proceeding; and

- 04 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
05 for the defendant, to the United States Marshal, and to the United State Pretrial Services
06 Officer.

07 DATED this 20th day of May, 2013.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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